

CONSTITUTION.

ARTICLE I.

NAME AND OBJECTS.

SECTION 1. The name of this Society shall be the "Medical Society of the State of California."

SEC. 2. The objects of this Society are the organization, protection and defense of the medical profession of the State of California, the cultivation and advancement of the science of Medicine, and the promotion of public health.

ARTICLE II.

COMPOSITION.

SECTION 1. The Society shall be composed of members of the regular medical profession of the State of California, of Associate and of Honorary members.

ARTICLE III.

SCIENTIFIC AND LEGISLATIVE BRANCHES.

SECTION 1. This Society shall be divided into a Scientific and a Legislative Branch, the objects and purposes of which shall be such as are provided in the By-Laws.

SEC. 2. The Legislative Branch shall consist of not more than eight delegates, elected by the members at large, and by the county medical societies, which are recognized by this Society, in accordance with the By-Laws directing the apportionment of representation.

ARTICLE IV.

MEETINGS.

SECTION 1. The regular meetings of this Society shall be held annually.

SEC. 2. Special meetings of the Legislative Branch may be convened as the By-Laws provide.

SEC. 3. Twenty-five members shall constitute a quorum in the Legislative Branch.

ARTICLE V.

OFFICERS.

SECTION 1. The Officers of this Society shall be a President, a First Vice-President, a Second Vice-President, a Secretary, two assistant Secretaries, a Treasurer, five members of the Board of Medical Examiners, and eleven Trustees, all of whom shall be elected by the Legislative Branch. Of the Trustees, one shall be elected from each of the eight Congressional Districts, and three shall be elected as Trustees-at-Large. Not more than two Trustees shall be elected from any one Congressional District.

(Amended to read as above.)

SEC. 2. The selection of the place of meeting, and the election of officers, shall be the first order of business of the Legislative Branch at the second evening session of each annual meeting.

SEC. 3. All officers shall be elected by ballot, and shall serve until their successors are chosen and qualified.

SEC. 4. No member of the Legislative Branch of this Society shall be eligible to any of the offices mentioned in Section 1 of this Article.

ARTICLE VI.

ETHICS.

SECTION 1. The Code of Ethics of the American Medical Association shall be the Code of Ethics of this Society.

ARTICLE VII.

AMENDMENTS.

SECTION 1. The Legislative Branch shall have authority to amend any Article or Section of this Constitution by a three-fourths affirmative vote of the members present, provided, that such amendment has been submitted in writing at an annual meeting one year previous to being acted upon, and, during the interim officially submitted to each county medical society for consideration. The hour at which such vote is to be taken shall be announced by the presiding officer, at least one day previous to date of final action.

BY-LAWS.

ARTICLE I.

MEMBERSHIP.

SECTION 1. All members of affiliated county medical societies shall, by virtue of such membership, be members of this Society, when duly reported by the President and Secretary of the County Medical Society.

SEC. 2. It shall be the duty of the President and Secretary of each county medical society to furnish the Secretary of this Society with a correct list of its members, at least one week prior to each annual meeting.

SEC. 3. Any regular physician residing in a county in which there is no county medical society in affiliation with this Society, may make application for membership to the Judicial Council. The Council shall ascertain the qualifications and standing of the applicant, and report to the Legislative Branch at the next annual meeting. If such report be favorable, and adopted by a majority vote of the Legislative Branch, the applicant shall be declared a member of this Society.

SEC. 4. Any one who is a member of the State Society previous to the adoption of this Constitution and By-Laws, but who does not belong to an affiliated County Medical Society, shall be permitted to continue his membership in this Society. Such members, and the members mentioned in the foregoing section, shall pay Three Dollars (\$3.00) annually to the Secretary of this Society within thirty days after each annual meeting.

SEC. 5. Associate members are those who were regular members of this Society for a period of ten consecutive years and have removed from the State of California permanently. Any member of this Society desiring to become an Associate member, may do so by making application through his County Medical Society; if not a member of a county medical society, direct to the Judicial Council, and, when favorably acted upon by said council, he shall be recognized as an Associate member; he shall be privileged to take part in the scientific meetings only, and to receive programs and transactions.

SEC. 6. Honorary members are such distinguished persons as this Society may deem worthy of the compliment, and, after nomination in writing by three members, they may be elected to membership by the Legislative Branch at any regular meeting. Their privileges shall be to take part in the scientific sessions, and to receive programs and transactions.

ARTICLE II.

MEETINGS.

SECTION 1. The annual meetings of this Society shall convene on the third Tuesday in April of each year.

SEC. 2. Special meetings of the Legislative Branch may be called by the President upon the written request of at least twenty-five members of the said Branch, provided that each member of this Branch is notified as to time, place and object of the proposed meeting.

SEC. 3. During the annual meeting of this Society, the Scientific Branch shall convene on the first day at 10 a. m., and thereafter each day at 9 a. m. and at 2 p. m. The Legislative Branch shall meet each day at 8 p. m., or at such other time as will not conflict with the sessions of the Scientific Branch.

(Amended to read as above.)

ARTICLE III.

DUTIES OF OFFICERS.

SECTION 1. The President shall preside at the meetings of the Scientific and Legislative Branches. He shall appoint a member to deliver at the next annual meeting an address on "Medicine," and another to deliver an address on "Surgery." He shall appoint all standing committees, and, unless otherwise ordered by a vote of the Legislative Branch, all special committees. He shall have a casting vote when necessary, and preserve order and decorum. On the morning of the first day of the annual meeting following his election, he shall deliver an address upon such matters as he may deem of importance to the Society, and shall perform such other duties as custom and parliamentary usage require.

SEC. 2. On the request of the President, or, in his absence, one of the Vice-Presidents shall preside. In the event of the absence of the President and both Vice-Presidents, the two Branches of this Society, in joint session, may elect a President pro tem.

SEC. 3. The Secretary shall keep correct minutes of the transactions of both branches of this Society, and, when approved, transcribe them into a book for that purpose. He shall have charge of all books, papers and documents belonging to this Society, other than those pertaining to the Treasurer, the Trustees, or the Committee on Publication. Within ten days after adjournment of each annual meeting he shall furnish the Committee on Publication with a correct copy of the minutes for publication. He shall notify all the members of committees of their appointment, and request an answer in writing in

regard to acceptance. He shall furnish the chairman of every committee with the names of his associates, and, in case of special committees, with a copy of the resolution or resolutions under which the committee was appointed. He shall verify the credentials of members and delegates. He shall keep a roll of members. He shall provide a book of registration, to be signed by all members in attendance, and a separate book, to be signed by all delegates. He shall forward credentials to members who may be elected delegates to the American Medical Association. He shall give due notice to all members and all county medical societies one month in advance of the annual meeting of this Society. He shall collect all money due this Society, and pay the same to the Treasurer within ten days after receipt thereof. He shall furnish to the Trustees a bond in the sum of One Thousand Dollars (\$1,000.00) for the faithful performance of his duties. He shall make an annual report and shall perform such other duties pertaining to his office as may be required.

SEC. 4. The Assistant Secretaries shall assist in all the duties of the Secretary during the meetings of the Society, and shall officiate in the absence of the Secretary.

SEC. 5. The Treasurer shall have charge of all the funds of this Society and shall disburse the same under the authority of the Legislative Branch upon warrants attested by the Secretary and countersigned by the President, or by written order of the Board of Trustees similarly attested and countersigned. He shall furnish to the Trustees a bond in the sum of Two Thousand Dollars (\$2,000.00) for the faithful performance of his duties. He shall make an annual report in writing of the finances of the Society to the Legislative Branch.

SEC. 6. The Board of Trustees shall have supervision of the business of the Society. It shall elect from its members a Chairman and a Secretary. It shall hold at least two meetings annually. It shall fix annually the assessment of the county medical societies, and issue a written order to the Treasurer authorizing the payment of money, in accordance with Article III, Section 5, of these By-Laws. It shall have the power to invest the funds of this Society. Whenever the number of delegates exceeds eighty, as provided in Article III, Section 2, of the Constitution, it shall make a reapportionment that will bring the number of delegates within the constitutional limit, after carefully examining the membership list of affiliated county medical societies to determine therefrom the number of delegates to which each county medical society should be entitled, such reapportionment to take place at the annual meeting next succeeding that at which the reapportionment is approved by the Legislative Branch. It shall fix the salaries of the Secretary, the Treasurer, and the Editor of the Transactions.

Acting as a Judicial Council, it shall take cognizance of and decide upon questions of an ethical or judicial character that may come before it, or be referred to it by county medical societies, or members thereof. It shall carefully investigate all charges of mal-practice alleged against a member in good standing, and, if it is found that such charges are groundless, it may take such steps as may be considered best for the protection and defense of the accused. When deemed necessary, the Council is authorized to employ an attorney to advise or defend in all matters for or on behalf of this Society, or a member of the same. The Council shall meet at the call of the Chairman for the transaction of any business that may be properly presented to it. It shall keep a record of all of its proceedings and submit a report in writing, signed by a majority of the Council, to the Legislative Branch at each annual meeting.

SEC. 7. The duties of the members of the Board of Medical Examiners elected by this Society shall be such as are prescribed by the laws of California governing said Board.

ARTICLE IV.

LEGISLATIVE BRANCH AND DELEGATES.

SECTION 1. The Legislative Branch shall be the legislative and fiscal body of the Medical Society of the State of California, and shall consist of delegates representing each affiliated county medical society and delegates representing members at large.

SEC. 2. Each county medical society entitled to representation shall have the privilege of sending to the State Society one delegate for every fifty of its number, and one for any additional fraction of that number, but each affiliated society having less than fifty members shall be entitled to one delegate. All members who are not connected with an affiliated county medical society shall be members at large, and shall be entitled to the same proportional representation.

SEC. 3. Delegates to the Legislative Branch shall be elected for a term of two years, and those societies entitled to more than one representative are required to arrange such election so that one-half of their delegates, as near as may be, shall be elected each year, excepting the first election of delegates after the adoption of this Constitution and By-Laws, when one-half shall be elected for one year.

SEC. 4. At the first annual meeting of this Society, after the adoption of this Constitution and By-Laws, the delegates of the county medical societies entitled to only one delegate shall draw lots to determine which half of the delegates shall hold for one year. Thereafter all delegates shall hold for two years, or until their successors are chosen.

SEC. 5. The Legislative Branch shall approve all memorials and resolutions of whatever character issued in the name of the Medical Society of the State of California before the same shall become effective.

SEC. 6. The sessions of the Legislative Branch shall be open to all members of this Society, but, except upon invitation of this Branch, they shall have no right to participate in its proceedings.

ARTICLE V.

SCIENTIFIC BRANCH.

SECTION 1. The Scientific Branch shall be for the benefit of all members, for the purpose of promoting scientific medicine and surgery, the maintenance of the honor and character of the medical profession, and to further cordial relations and fellowship.

ARTICLE VI.

COMMITTEES.

SECTION 1. The following standing committees shall be appointed annually: 1, Arrangements; 2, Publication; 3, Auditing; 4, Memorial; 5, Medicine and Therapeutics; 6, Surgery and Anatomy; 7, Obstetrics; 8, Gynaecology; 9, Pediatrics; 10, Eye; 11, Ear, Nose and Throat; 12, Genito-Urinary Diseases; 13, Cutaneous Diseases; 14, Nervous and Mental Diseases; 15, Hygiene, Sanitation and Climatology; 16, Pathology and Bacteriology; 17, Chemistry and Physiology; 18, Medical Legislation and Education; 19, Scientific Program.

(Amended to read as above.)

SEC. 2. The Committee on Arrangements shall consist of five members, the Chairman of which shall be a member of an affiliated society of the county in which the next annual meeting of this Society is to be held. Its duties shall be to perfect the program and make all necessary arrangements for the annual meeting for which it is appointed.

(Amended to read as above.)

SEC. 3. The Committee on Publication shall consist of five members. It shall supervise all the publications of this Society, and it shall have full power to determine what papers, or portions of papers, shall appear in the printed transactions. No paper that has appeared in print, or has been read before any medical association prior to its presentation to this Society, shall be published in the transactions. The Chairman of this committee shall be editor of the transactions, and may be paid such salary as the Board of Trustees may determine.

SEC. 4. The Auditing Committee shall consist of three members. Its duties shall be to examine all bills and warrants, audit the accounts of this Society, and report in writing to the Legislative Branch.

SEC. 5. The Memorial Committee shall consist of three members. Its duties shall be to present a "Memorium" upon those members who have died during the current year.

SEC. 6. The Committee on Scientific Program shall consist of five members. Its duties shall be to arrange the program of reports of scientific standing committees, with discretionary power to select and arrange voluntary papers and discussions thereon, and to furnish a copy of such program to the Committee on Arrangements at least fifteen days prior to date of annual meeting.

SEC. 7. The remaining standing committees shall be designated "Scientific Committees," and shall each consist of five members. They shall report to the Scientific Branch by contributing papers or other scientific matter germane to their respective subjects.

(Amended to read as above.)

SEC. 8. The Chairman of each Scientific Committee shall send to the Committee on Scientific Program the names of authors and titles of all papers and reports to be presented from his section at least thirty days before the date of the annual meeting. The papers or reports to be read, or a copy thereof, shall be placed in the hands of the Committee on Scientific Program at least fifteen days prior to date of annual meeting.

SEC. 9. No paper, address or report presented before the Scientific Branch, except the address of the President, shall occupy more than twenty minutes. In discussion, no member shall be allowed to occupy more than five minutes, except by consent.

ARTICLE VII.

DELEGATES TO THE AMERICAN MEDICAL ASSOCIATION.

SECTION 1. In accordance with the By-Laws of the American Medical Association, the Legislative Branch of this Society shall elect one delegate and an alternate for every five hundred of its regular members, and one delegate for any additional fraction of that number.

ARTICLE VIII.

ORDER OF BUSINESS—SCIENTIFIC BRANCH.

SECTION 1.

1. Calling to order.
2. Address of Welcome.
3. Address by President.
4. Reading and discussion of papers and reports of Standing Committees.
5. Reading and adoption of minutes.
6. Adjournment.

SEC. 2. Legislative Branch:

1. Calling to order.
2. Roll call.
3. Report of President.
4. Report of Secretary.
5. Report of Trustees and Judicial Council.
6. Report of Treasurer.
7. Report of Standing Committees.

8. Report of Special Committees.
9. Unfinished Business.
10. New Business.
11. Selection of place of meeting.
12. Election of Officers and Delegates.
13. Reading and adoption of minutes before adjournment of each session.
14. Adjournment.

Sec. 3. The above Order of Business of either Branch of this Society shall be subject to temporary change or suspension by a majority vote of all members present, except the selection of the next place of meeting and the election of Officers and Delegates, as provided in Article V, Section 2, of the Constitution.

ARTICLE IX. RULES OF ORDER.

SECTION 1. This Society shall be governed by the rules prescribed in "Roberts' Rules of Order."

ARTICLE X. REFERENDUM.

SECTION 1. The Scientific Branch shall have the right to refer any question pertaining to the scientific interest only of said Branch upon a two-thirds vote, to the Legislative Branch, for its consideration and action.

ARTICLE XI. REVENUE.

SECTION 1. Revenue for meeting current and other expenses of this Society shall be raised as follows:

Each county medical society in affiliation with this Society shall be assessed not less than One Dollar (\$1.00) per member annually, or such further sum, not to exceed Five Dollars (\$5.00) per member, as may be assessed annually by the Board of Trustees, such further sum to be paid also by the members at large annually at a per capita rate.

By voluntary contributions for specific objects.

From the profits of publications.

From dues of members residing in a county in which there is no county medical society, and from members who were such prior to the adoption of this Constitution and By-Laws, but not members of a county medical society.

(Amended to read as above.)

ARTICLE XII. APPROPRIATIONS.

SECTION 1. Funds may be appropriated by the Legislative Branch, or a majority vote of the Board of Trustees, for defraying the expenses of the annual meetings, for publications, payment of salaries, to enable standing and special committees to conduct their correspondence, procure aid and materials necessary for the completion of their reports, and for the encouragement of original and scientific investigation by awarding prizes.

Sec. 2. The annual salary of the Secretary shall not exceed Two Hundred Dollars (\$200.00). The annual salary of the Treasurer shall not exceed One Hundred Dollars (\$100.00), and the annual salary of the Editor of the Transactions shall not exceed One Hundred and Fifty Dollars (\$150.00).

ARTICLE XIII.

ORGANIZATION AND MEMBERSHIP OF COUNTY MEDICAL SOCIETIES.

SECTION 1. It shall be the privilege and duty, when practicable, of members of the regular profession living in any county in this State, to organize a County Medical Society, to affiliate with the State Society, provided that public notice of the meeting for that purpose be given, and that all regular physicians in good standing in the county be invited to join therein. Such society may elect officers and adopt By-Laws that do not contravene those of the State Society. But one County Medical Society in each county of the State shall be recognized in affiliation with this Society.

In counties where it is not practicable to organize a County Medical Society, any member of the profession in said county may have the privilege of uniting with the Society of an adjoining county, but such membership shall continue only during the time that no organized County Medical Society exists in that county. If, however, it is more convenient for a physician who lives in one county to attend the meetings of an adjoining County Medical Society, he may, with the consent of the Judicial Council, continue as or become a member of such Society.

Sec. 2. When a member in good standing removes to another county, his name shall be transferred to the roll of members of the County Medical Society of his new residence, if a society exists in that county, otherwise, if he so desires, to the most convenient adjoining County Medical Society.

Sec. 3. No one shall be admitted to membership in a County Medical Society who is not a legalized regular practitioner, and of good moral and professional standing.

ARTICLE XIV.

PRIVILEGES AND REQUIREMENTS OF COUNTY MEDICAL SOCIETIES.

SECTION 1. Each County Medical Society now existing, or which may hereafter be organized, and shall elect to become affiliated with the Medical Society of the State of California,

shall transmit to the Secretary of the said State Society a copy of its By-Laws and Rules, with the names of officers and members, and as soon as the report is returned, approved by the Judicial Council, the Society will thereafter be recognized as an affiliated Society and authorized to elect delegates to the Legislative Branch of this Society.

Sec. 2. The officers of a County Medical Society shall be a President, a Vice-President, a Secretary and a Treasurer. Any Society may have a second Vice-President, a Corresponding Secretary, a Librarian and a Board of Trustees.

Sec. 3. As provided in Article I of these By-Laws, the Secretary of each County Medical Society shall forward to the Secretary of this Society a certified list of officers and members, of delegates elected to the Legislative Branch, also remittance of dues one week before each annual meeting. In case of failure of any County Medical Society to so report its membership and delegates, and pay its dues, said Secretary shall not be entitled to representation nor to its quota of publications until such delinquency is satisfied.

Sec. 4. And County Medical Society having its privileges suspended for two successive years shall be dropped from the list of affiliated societies.

Sec. 5. If any County Medical Society shall refuse to pay its annual assessment, or to investigate a charge of violation of the Code of Ethics on the part of any member, or to discipline such member if found guilty, or commit any act which may be derogatory to the honor of the medical profession, such society shall, during such time, have all its rights and privileges suspended.

Sec. 6. No member of a County Medical Society shall be deprived of his membership unless by his own act, except by a three-fourths affirmative vote of all members present at a regular meeting, and after an opportunity has been given for the accused to be heard in his own defense; but a member shall be dropped from the roll of membership for two years non-payment of dues, or for a revocation of his certificate by the Board of Medical Examiners of the State of California.

Sec. 7. No member shall be permitted to resign while he owes dues, or while he is under charges. Any member of a County Medical Society who is censured, suspended or expelled, shall have the right to appeal to the Judicial Council of the State Society. This appeal must be made within three months from date of the act of censure, suspension or expulsion. The decision of the Judicial Council shall be reported to the Legislative Branch of the State Society at its next annual meeting for final adjudication.

Sec. 8. When a member shall resign his membership in his County Medical Society, he shall thereby forfeit all right and title to any share in the privileges and property of the Medical Society of the State of California, or its subordinate divisions.

ARTICLE XV.

NOTICES OF DEATH.

SECTION 1. On the death of any member, the Secretary of the Society to which he belonged shall send notice of his death, also biographical data, to the Chairman of the Memorial Committee of the State Society.

ARTICLE XVI.

SEALS.

SECTION 1. The Seal of this Society shall be of the same size and design as the Seal of the State of California. The marginal inscription shall have in the upper segment, "The Medical Society of the State of California"; in the lower segment, "1856 and 1902."

It shall be in the custody of the Secretary of this Society, and shall be affixed to all papers emanating from the Medical Society of the State of California.

Sec. 2. The Seal of each of the County Medical Societies shall be identical in size and design with that of the State Society. The marginal inscription shall have in the upper segment the year of its organization and the letters "M. S. C."; in the lower segment the name of the Society.

ARTICLE XVII.

AMENDMENT TO BY-LAWS.

SECTION 1. The Legislative Branch is authorized to amend any Article or Section of the By-Laws by a three-fourths affirmative vote of the members present, provided that such amendment has been submitted in writing and posted in a conspicuous place in the hall where the sessions of the Society are being held twenty-four hours previous to being voted upon.

Sec. 2. The Constitution and By-Laws heretofore governing this Society are hereby repealed, except so far as the dues for the present fiscal year are concerned, and this Constitution and By-Laws shall be in full force and effect immediately after adjournment of the annual meeting of the State Society, by which it is declared duly adopted. All the officers elected at this session, to serve under the new Constitution and By-Laws, shall be such as are required by the new Constitution and By-Laws, and shall be considered duly elected.